

R 051503Z JUN 96
FM AMEMBASSY WINDHOEK
TO SECSTATE WASHDC 2093
INFO AMEMBASSY LILONGWE
AMEMBASSY MBABANE
AMEMBASSY PRETORIA
AMEMBASSY PORT LOUIS
AMEMBASSY LUANDA
AMEMBASSY MASERU
AMEMBASSY DAR ES SALAAM
AMEMBASSY HARARE
AMEMBASSY LUSAKA
AMEMBASSY MAPUTO
AMEMBASSY GABORONE

UNCLAS SECTION 01 OF 02 WINDHOEK 001695

DEPT FOR AF/S, AF/RA,

E.O. 12958: N/A

TAGS: SOCI KWMN SADC WA

SUBJECT: STATUS OF WOMEN IN THE SADC REGION:
NAMIBIA

REF: STATE 112270

¶11. FOLLOWING IS IN RESPONSE TO QUESTIONS POSED
REFTEL.

WOMEN AND THE LEGISLATIVE PROCESS

¶12. THE NAMIBIAN CONSTITUTION IS VERY PROGRESSIVE
IN GUARANTEEING FUNDAMENTAL FREEDOMS TO ALL
CITIZENS. IN ADDITIONAL TO GENERAL GUARANTEES OF
LIFE, LIBERTY, RESPECT FOR HUMAN DIGNITY AND
FREEDOM FROM DISCRIMINATION, ARTICLE 23 SUBSECTION
(3) DEALING WITH APARTHEID AND AFFIRMATIVE ACTION,
MAKES SPECIAL REFERENCE TO THE NEED TO PROMOTE
GENDER EQUALITY AND STATES, "IT SHALL BE
PERMISSIBLE TO HAVE REGARD TO THE FACT THAT WOMEN
IN NAMIBIA HAVE TRADITIONALLY SUFFERED SPECIAL
DISCRIMINATION AND THAT THEY NEED TO BE ENCOURAGED
AND ENABLED TO PLAY A FULL, EQUAL AND EFFECTIVE
ROLE IN THE POLITICAL, SOCIAL, ECONOMIC AND
CULTURAL LIFE OF THE NATION."

¶13. WITH THE PASSAGE OF THE MARRIED PERSONS
EQUALITY ACT EARLIER THIS YEAR, PARLIAMENT, WITH
THE STRONG SUPPORT OF PRESIDENT NUJOMA, IS
ATTEMPTING TO BRING NAMIBIAN LAWS INTO COMPLIANCE
WITH CONSTITUTIONAL GUARANTEES. WHILE THE ACT
ELIMINATES DISCRIMINATORY PRACTICES IN CIVIL
MARRIAGES, WOMEN MARRIED UNDER CUSTOMARY LAW ARE
OFTEN SUBJECT TO DISCRIMINATION. ALL TOO
FREQUENTLY, WHEN CUSTOMARY PRACTICES ARE IN
CONFLICT WITH MODERN STATUTES, CUSTOMARY PRACTICES
PREVAIL, PARTICULARLY IN THE RURAL AREAS. AT A
RECENT NATIONAL CONFERENCE ON TRADITIONAL
AUTHORITIES, GOVERNMENT OFFICIALS MADE IT CLEAR
THAT CUSTOMARY LAWS WHICH ARE INCONSISTENT WITH
PROVISIONS OF THE NAMIBIAN CONSTITUTION OR MODERN
STATUTES WOULD BE INVALID. HOWEVER, PRACTICES IN
THE RURAL AREAS ARE SLOW TO CHANGE. FOR EXAMPLE,
IT IS COMMON FOR A WOMAN MARRIED UNDER CUSTOMARY
LAW TO HAVE HER HOUSE AND POSSESSIONS SEIZED BY
HER HUSBAND'S FAMILY IF THE HUSBAND PASSES AWAY.
OFTEN THE WOMEN IS THROWN OUT OF THE HOUSE AND
LEFT TO FEND FOR HERSELF. THE GOVERNMENT HAS
CONDEMNED THIS PRACTICE, BUT IT STILL CONTINUES.
WOMEN ACTIVISTS AND SOCIAL RESEARCHERS IN NAMIBIA,
ENCOURAGED BY THE PASSAGE OF THE MARRIED PERSON'S
EQUALITY ACT, ARE NOW LOOKING AT WAYS OF ATTACKING
THE PROBLEM OF DISCRIMINATION AGAINST WOMEN
MARRIED UNDER CUSTOMARY LAW.

GOVERNMENT SUPPORT FOR IMPLEMENTATION OF THE
BEIJING PLAN OF ACTION

14. THE NAMIBIAN GOVERNMENT IS FIRMLY COMMITTED TO IMPLEMENTING THE BEIJING PLAN OF ACTION AND THE HEAD OF NAMIBIA'S DELEGATION TO THE CONFERENCE, MS. NETUMBO NDAITWAH WAS RECENTLY ELEVATED TO THE POST OF SECRETARY GENERAL OF THE RULING SWAPO PARTY. MS. NDAITWAH SERVED AS RAPPORTEUR GENERAL AT THE BEIJING CONFERENCE AND PLAYED AN ACTIVE ROLE IN FORGING COMPROMISES ON SEVERAL KEY ISSUES. SHE IS STRONGLY AND FERVENTLY COMMITTED TO ELIMINATING ALL FORMS OF DISCRIMINATION AGAINST WOMEN, INCREASING THE NUMBER OF WOMEN IN PARLIAMENT, AND IMPLEMENTING THE BEIJING PLAN OF ACTION. PRESIDENT NUJOMA HAS BEEN OUT FRONT AND VOCAL IN SUPPORT OF THE MARRIED PERSONS EQUALITY BILL AND FREQUENTLY CITES THE ROLE WOMEN PLAYED IN THE LIBERATION STRUGGLE IN PRESSING FOR THE ELIMINATION OF PRACTICES WHICH DISCRIMINATE AGAINST WOMEN.

POST INITIATIVES TO SUPPORT GENDER EQUALITY AND CURB SEXUAL VIOLENCE

15. AS REPORTED PREVIOUSLY, THIS MISSION IS TARGETING ALL DEMOCRACY AND HUMAN RIGHTS FUNDS (116E) THIS YEAR IN SUPPORT OF NAMIBIAN WOMEN'S ORGANIZATIONS SEEKING TO COUNTER THE GROWING PROBLEM OF SEXUAL VIOLENCE AGAINST WOMEN AND CHILDREN. WITH RAPE AND ASSAULTS AGAINST WOMEN AND CHILDREN AT RECORD LEVELS IN NAMIBIA, MISSION IS ASSISTING WOMEN'S ORGANIZATIONS IN DEVELOPING A NATIONAL MULTI-MEDIA CAMPAIGN TO CURB SEXUAL VIOLENCE AND STRENGTHEN SENTENCING OF CONVICTED RAPISTS AND THOSE GUILTY OF ASSAULTING WOMEN AND CHILDREN. IN ADDITION, EMBASSY SELF-HELP COMMITTEE RECENTLY APPROVED FUNDING FOR TWO COMMUNITY PROJECTS IN WHICH LOCAL CITIZENS HAVE GOTTERN TOGETHER TO ESTABLISH SAFE HOUSES FOR ABUSED WOMEN.

16. USIS HAS LENT ITS SUPPORT TO THE OVERALL EFFORT TO CURB SEXUAL VIOLENCE BY BROADCASTING A WORLDNET PROGRAM DEALING WITH THE ISSUE OF DOMESTIC VIOLENCE AND INVITING LOCAL JOURNALISTS TO THE EVENT. ARTICLES ON THE EVENT IN LOCAL NEWSPAPERS BROUGHT ADDITIONAL PUBLIC ATTENTION TO THE WORLDWIDE PROBLEM OF SEXUAL VIOLENCE.

17. IN ADDITION, A VISIT TO WINDHOEK EARLIER THIS YEAR BY HIGH STATE DEPARTMENT OFFICIALS WAS USED TO BRING ATTENTION TO THE PROBLEMS OF SEXUAL VIOLENCE AND AIDS. PDAS BUSHNELL AND AF/S BLANEY VISITED A CENTER FOR ABUSED WOMEN AND CHILDREN AND THE VISIT, ALONG WITH A BRIEFING PROVIDED BY LOCAL POLICE OFFICIALS TO US OFFICIALS AND INVITED MEDIA REGARDING THE PROBLEM OF SEXUAL ABUSE, RECEIVED WIDE COVERAGE IN THE NATIONAL MEDIA. THIS GROWING ATTENTION FOCUSED ON THE PROBLEM OF SEXUAL VIOLENCE LED TO A CALL RECENTLY BY THE PRIME MINISTER FOR LONGER PRISON SENTENCES FOR THOSE CONVICTED OF SEXUAL ASSAULTS AGAINST WOMEN AND CHILDREN.

18. JUST LAST WEEK THE SENIOR LEGAL ADVISER IN THE ATTORNEY GENERAL'S OFFICE REQUESTED ASSISTANCE IN OBTAINING COPIES OF U.S. SENTENCING COMMISSION GUIDELINES AND OTHER RELEVANT PORTIONS OF THE VIOLENCE AGAINST WOMEN ACT OF 1994. SHE HAS REQUESTED THIS INFORMATION TO ASSIST THE AG'S OFFICE IN PREPARING A VIOLENCE AGAINST WOMEN ACT FOR NAMIBIA.

19. THIS MISSION, THROUGH A COORDINATED APPROACH UTILIZING 116E FUNDS, SELF HELP MONIES, USIS PROGRAMMING AND ATTENDANCE BY EMBOFFS AT WOMEN'S

EVENTS FROM GENDER SECTORAL COMMITTEE MEETINGS, TO THE LAUNCH OF THE NAMIBIA MEDIA WOMEN'S ORGANIZATION AND SPORTS EVENTS FOR WOMEN, HAS NOT ONLY THE DEMONSTRATED THE US GOVERNMENT'S INTEREST IN ELIMINATING ALL FORMS OF DISCRIMINATION AGAINST WOMEN BUT ALSO OUR DESIRE TO USE HUMAN RIGHTS AND OTHER FUNDS AT OUR DISPOSAL TO ASSIST NAMIBIAN WOMEN IN TURNING THE CORNER ON THE ALARMING NATIONAL PROBLEMS OF RAPE, DOMESTIC VIOLENCE AND SEXUAL ASSAULTS ON CHILDREN.

MCCALLIE